



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

AUG 20 2014

Thomas J King, Esq
Legal Counsel and Certifying Environmental Officer
Governor's Office of Storm Recovery
99 Washington Avenue Suite 1010
Albany, New York 12231

Re: Tier 1 Programmatic Environmental Review Record for the Community Development Block Grant-Disaster Recovery (CDBG-DR) Program of the New York Rising and New York City Build It Back Acquisition for Redevelopment Program: Richmond County, NY

Dear Mr. King:

The U.S. Environmental Protection Agency (EPA) has reviewed the Tier 1 Programmatic Environmental Review Record for the NY Rising and NYC Build It Back Acquisition for Redevelopment Program for Richmond County, New York. Serving as the Responsible Entity for the distribution of CDBG-DR funds, the New York State Homes and Community Renewal (HCR) has completed or is completing Tier 1 Programmatic Environmental Assessments (an element of the Environmental Review Record) for all NY Rising programs being implemented in Richmond County, of which Acquisition for Redevelopment is one.

The purpose of the program is to purchase one- and two-unit residential properties from voluntary applicants in order to relocate residents who desire to move out of the most flood and storm-damage prone areas and redevelop the properties in a more resilient manner for future residents. One of the goals of this program is to prevent the random potential for vacated properties amidst an area of rebuilding. The acquisition program funds the securing of the site, demolition and clearing of currently existing structures, and maintenance of the site. We understand the Tier 2 documentation will be prepared once property owners apply for acquisition.

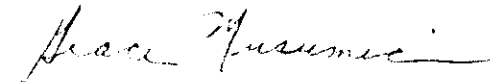
EPA offers the following comments on the environmental review of the acquisition for redevelopment program.

- While the actual redevelopment is not part of this program, an explanation of how that general process will work, indicating who will have access to redeveloping the sites, would be helpful such that potential changes in demographics and community character can be better understood. Also, at one point, the EA states that in some cases properties may remain undeveloped. Please explain whether this may be due to a lack of interest on the part of developers or will be based on criteria set by NYC.

- Based on the damage assessment figures, provide an estimate of how many residences may be eligible for this acquisition program in Richmond County.
- Given that the acquisition program is just one of the programs being considered for Richmond County, the cumulative impacts analysis should discuss the other HCR programs as well as other actions that are or will be occurring in the area, particularly as related to disaster recovery. Page 15 of the EA indicates that the County "plans to provide residents in low-lying and coastal areas with a range of housing options that are resilient in design and location by increasing coastal edge elevations to minimize inland tidal flooding, and completing other infrastructure reconstructing and strengthening projects." Some specific projects are identified and a few beaches are slated for marsh and wetland restoration. The reduction in impervious surfaces within and other influences on the floodplain as well as the amount of wetlands recovered or restored should be estimated.
- Redevelopment should be conditioned such that wetlands cannot be infringed upon. The benefit provided by any wetlands that do remain in these damage prone areas should not be lost.
- The document indicates that all new construction in the Special Flood Hazard Area under the Acquisition for Redevelopment Programs would be required to have a minimum foundation elevation two feet above the Preliminary Flood Insurance Rate Maps, the Advisory Base Flood Elevation, or the best available data for Richmond County. This would reduce the 1% chance of flood per year for these redeveloped houses. For clarity, please indicate whether a Sandy-level storm surge would affect houses, even if to a lesser degree of damage, at these elevated levels. We appreciate the statement that risks cannot be completely avoided, but believe it important to put that risk in terms that can be understood in a relative way.
- Applicants receiving assistance should be highly encouraged to purchase their new home outside the floodplain; this is particularly relevant to those relocating within Richmond County. This will help ensure that Federal funds are being used in a manner which promotes sustainability.
- In a location where applicants on adjacent properties receive assistance, the development of parks or other small public areas should be encouraged on those properties rather than new housing.
- We are pleased to see that the solid waste management plan will maximize the recycling and reuse of debris. In addition to improvements in energy efficiency of the redeveloped properties, water conservation should also be stressed.

We appreciate the opportunity to comment. If you have any questions, please contact me at 212-637-3738 or musumeci.grace@epa.gov. Please send EPA the Tier 2 documents when available.

Sincerely,

A handwritten signature in cursive script, appearing to read "Grace Musumeci".

Grace Musumeci, Chief
Environmental Review Section

